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Board of Boiler Rules

One Ashburton Place, Room 1301, Boston, MA 02108

Minutes of November 6, 2008 Meeting

Meeting called to order at 10:15 a.m.

1) Roll Call:

Member Present:

Mark Mooney, Chairman
Ray Archambault
Tom Healey
Charles Perry

Member
Member
Member
Member

Member Absent:

Ernest Hall

Visitors:

Edward Kawa, DPS
Henry Geryk, DPS
Celeste Lam, DPS
Jim Blackburn, DPS
Max Greig, DPS
Mark Sullivan, DPS
Natalie Howlett, MA Dept. of Energy Resources
Ian Finlayson, Exe. Office of Energy & Envr. Affairs
William Cahill, Office of Senator Brewer
Dwayne Breger, MA Dept. of Energy Resources
Mark Bartkieur, FIRCO
Robert Black, Dominion Salem Harbor
Allen Sload, Dominion Salem Harbor
Mark Odell, Alternative Fuel Boilers
Allen Boston, Able Engineering
Gary Pavao, ISP
Mark Carlisle, AquaEnergy
Nick Dalessandro, Dalkia
Brian Hickson, HSB
Stephen Kapnis, CNA
Andrew Kolisuten, Filey Hoey LLP

Henry Abraszek, Alternative Fuel Boilers
Ted Ristgina, Yankee Equipment
Roger Zoillier, Yankee Equipment
Jeff Ehart, Cape Cod Commercial Linen Service
Scott Nichols, Bioheat USA
Steve Pitrey, Bioheat USA
Keith Gott, Chapter 146 Association
Richard Robak, Trigen Boston Energy
Don Stats, Travelers Ins
Steve Pappas, HSB
Paul Logan, Steam Engineering Institute
Charles Murphy, Trigen Boston Energy
John Boaruman, UTC Power
Eric Rubin, Biomed
Bruce Whittier, Whittier Plumbing and Heating
John Pilfnay, AE solar wind
Frank Sabatino
William Grudzinski, Worcester Polytech Institute
Robert Tatro, Tech. Learning Center
Joseph Waskiewicz, EconoBurn
George Langton, Capstone Turbine Corp.

Modified agenda as follows:

Moved New Business to item #4

Motion to adopt the agenda - *Approved*

- 2) Recognition of 100th Anniversary of Board of Boiler Rules.
 - a) Reading of Letters of Recognition from National Board of Boiler and Pressure Vessel Inspectors.
 - b) Acknowledgement of the District Engineering Inspectors present.
 - c) A moment of silence was given in respect for the passing of National Board Executive Director Don Tanner and National Board Assist. Executive Director George Bynog.
- 3) Minutes of previous meeting
 - a) Motion to approve the minutes of May 1, 2008 meeting – *Approved*.
- 4) New Business:
 - a) Review of Boiler Task Group proposal of August 22, 2008 into regulations.
 - b) Routine Repairs:
 - i. Public comment – expressed disagreement of Engineer-in-charge being under the Board of Boiler Rules.
 - ii. Proposed Language Change: Engineer-in-charge is responsible to ensure that the boilers are tested in accordance with the requirements of *the repair company* authorized inspector.
 - c) AI Responsibilities:
 - i. Mr. Mooney clarified the authority of the board to formulate and adopt rules of the construction, installation and inspection process under Chapter 146 §2.
 - ii. Clarified that the AI should properly document all process under any given condition.
 - iii. Public comment: Questioned how to resolve conflicts between AIs from the repair company and the insurance company. Mr. Mooney and Mr. Archambault explained that it should be treated as two separate incidences.
 - iv. Mr. Mooney clarified and instructed ways to contact the State District Engineering Inspector before any repairs.
 - v. Clarified the definition of routine repair - unscheduled small events. Public questioned whether it should be more specific; Mr. Mooney explained this is only to capture the definition and the intent of a routine repair and is open for comments and interpretations.
 - vi. Public comment – suggested revising to the title to Chief of Inspections, not Chief of Inspections - Mechanical.
 - d) Thorough inspection:
 - i. Public comment – suggested including “any section of the boiler that is under pressure”.
 - e) Internal and external inspection: No public comments.
 - f) Acceptable pressure tests:
 - i. Public comment – suggested adding “of the Division of Inspection” after “a District Engineering Inspector”.
 - g) Responsibilities of the Engineer-in-charge:
 - i. Mr. Healey suggested extending to a 30 days period instead of 14 days.
 - ii. Suggested adding “signed by the AI” after “the repair or alternation”.
 - iii. Public commented to not limiting to the engineer-in-charge to submit R-1/R-2 reports, it should be broadened to owner/user. Mr. Mooney noted that so long it does not cause any confusion of the role of the engineer-in-charge and owner/user.
 - h) Tube leak assessments:
 - i. Public questioned whether a SOP is required for each plant to address the issue. Mr. Mooney noted to always follow the SOP.

- ii. Public comment – A question was asked who would be doing the review of inspections. Mr. Mooney explained it is ultimately the Engineer-in-charges' responsibility to make sure the boilers are properly installed, repaired and inspected.
- i) Serviceable boiler life/condition assessment requirements:
 - i. No public comments. Boiler Task Group not complete with item.
- j) Engineer-in-charge certificate:
 - i. Public comment- noted the engineer-in-charge kept a log book therefore it would not be necessary to submit the certificates. He also expressed his concerns that all changes are legal and will be able to stand the test of the court.

Meeting recessed at 11:20 a.m.

Meeting reconvened at 11:33 a.m.

- 5) The Board reviewed requests for inspectional extensions and other considerations as listed:
- a) UMass Power Plant – Review of 07/28/08 electronic vote. *No action necessary.*
 - b) Chelsea Soldiers Home – Review of 09/03/08 electronic vote. *No action necessary.*
 - c) Boston Generating, Mystic 8 & 9 – Review of 08/15/08 electronic vote. *No action necessary.*
 - d) Langham Hotel, Boston- Review of 09/11/08 electronic vote. *No action necessary.*
 - e) Covanta Energy Semass – Request for extension. *No action necessary.*
 - f) UMass Dartmouth – Request for 90 days extension. *Motion to approve extension – Motion passed.*
 - g) Salem Harbor – Request for alternate inspection procedure. Presented with 2007 National Board Inspection Code part 2 § 4.2.1, Nondestructive Examination Methods; c) Remote camera/fiber optic. *Motion to approve remote video inspection of upper dead air space. Motion passed with a 3 to 1 denied.*
 - h) Alternative Fuel Boilers, Mark Odell – Request for exemption of ASME code requirement for a boiler. Questions were raised regarding traceable materials of the boiler and the calculation of capacity determined. Also, if passed, would it grandfather the already installed units?
Joe Waskiewicz – getting an ASME stamp is expensive and time consuming. He suggested having an exemption or consideration for residential market. Public requested the board to address and clarification on units under 200,000 BTU issue. *No action taken. The board requests a list of nonconformities for the boiler and will need to consult with legal counsel in order to discuss further.*
 - i) Tony Cirra, Slant Fin – Request clarification on code stamp requirement on economizer. *No action taken. The board requests more information in order to discuss further.*
 - j) Bioheat USA, Scott Nichols – Request for exemption of ASME code with regard to wood fire boilers. Mr. Nichols pointed that are new alternative energy units that ASME may not address very well. Asked the board to adopt the units built according to the European EN 303-5 code. *No action taken. Requested more information and will look into the differences between the two standards. The board will need to consult with legal counsel in order to discuss further.*
 - k) MMA Capstone – Request appeal to use ASME code section VIII vessel. *Motion to approve – Motion passed.*
 - l) MMA Capstone – Request variance of non-ASME code vessel. George Langton- noted that obtaining ASME stamps are very expensive. *No action taken. The board will need more information in order to reevaluate.*

Reading the Governor Citation for the 100th Anniversary of the Board of Boiler Rules.

- m) Phoenix Welding – Request liquid penetrate NDE in lieu of pressure test. *No action taken. The board requires more information in order to discuss further.*
- n) UniFirst Corporation, Springfield – Requesting extension of boiler inspection. *No action taken. The board requires more information. No letter from insurance inspector provided.*
- o) Yankee Equipment Systems – Appeal of a thermal oil ironer. *Motion to approve for installation state wide. – Motion passed.*

6) Unfinished Business

- 1) There was no unfinished business for the Board to discuss

7) Adjournment

Chairman Mooney adjourned the meeting at 2:18 p.m.

Minutes submitted by: Celeste Lam